

Defendant

[illegible]

**Case No.: 2:10-cv-05766-JHS**

See Exhibit “A”.

3. Thereafter, an Order was entered by the Clerk of the Court, Michael E. Kunz, on March 3, 2011 indicating Judgment was entered in favor of Plaintiff and against Defendant in the amount of “\$1,000.00, INCLUDING COSTS AND ATTORNEY'S FEES ACCRUED.” See Docket Entry Number 7.

4. Despite the best efforts of the parties, there has been no resolution as to the amount of attorney's fees Plaintiff's counsel shall be paid.

5. Plaintiff is entitled to reasonable attorney's fees pursuant to the wording of the Rule 68 Offer of Judgment and under 15 U.S.C. § 1692k(a)(3).

6. Plaintiff submits in support of her petition the Declarations of Craig Thor Kimmel, Amy L. Bennecoff and Tara L. Patterson, her attorneys (Exhibits “C”), her attorney's itemized time records for this case (Exhibit “B”), the Declarations of Nicholas Bontrager and Marshall Meyers (Exhibit “D”). This petition is also accompanied by Plaintiff's Memorandum in Support of Her Petition for Attorney's Fees.

7. Should Plaintiff incur additional attorney's fees in pursuing this petition, Plaintiff will supplement her attorney's itemized time records accordingly.

WHEREFORE, Plaintiff respectfully requests this Court to:

- A. Award Plaintiff her reasonable attorney's fees incurred in this case, in the amount of \$7,989.00.
- B. Enter judgment accordingly; and
- C. Grant such other relief as may be just and proper.

Respectfully submitted,  
Kimmel & Silverman, LLC  
s/ Craig Thor Kimmel  
Craig Thor Kimmel

Dated: March 17, 2011